

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY MICHAEL MOLDOWAN,

Plaintiff,

CIVIL ACTION NO. 05 CV 70331 DT

v.

DISTRICT JUDGE ANNA DIGGS TAYLOR

THE CITY OF WARREN; THE POLICE DEPARTMENT OF THE CITY OF WARREN; THE COUNTY OF MACOMB; ERIC SMITH, Macomb County Prosecutor, in his official capacity; ALAN WARNICK, in his individual and official capacity; DONALD INGLES, in his individual and official capacity; MARK CHRISTIAN, in his individual and official capacity; OTHER PRESENT AND FORMER MEMBERS OF THE WARREN POLICE DEPARTMENT AND OFFICE OF THE MACOMB COUNTY PROSECUTOR AS YET UNIDENTIFIED, in their individual and official capacities; and MAUREEN FOURNIER, individually,

Defendants.

**ORDER GRANTING IN PART PLAINTIFF'S MOTION TO  
COMPEL DIRECTED TO CITY OF WARREN DEFENDANTS**

This matter is before the court on Plaintiff's Motion to Compel Directed to City of Warren Defendants (D/E 77) filed November 16, 2005. A hearing on the motion was held before the magistrate judge on January 4, 2006. The parties agree to the entry of a mutually agreed upon protective order and to production of the Warren policies and procedures including any

former policies in effect at the time of the incident (from 1990 through 2004). For the reasons stated on the record,

IT IS ORDERED that the motion with respect to personnel files and police misconduct records IS GRANTED in part. Defendant will produce those portions of all the personnel files which reflect training records, citizen complaints, and discipline records from Officers Ingles, Christian and non-defendant officer Loeffler (Badge #402). These documents shall be produced if they exist, if under the possession or control of City of Warren, even if not in the "personnel file" as such.

Remainder of the request is denied without prejudice. After deposition and review of policies and other documents, plaintiff may renew the request for information meeting the standard of Fed.R.Civ.P. Rule 26.

s/Virginia M. Morgan  
VIRGINIA M. MORGAN  
UNITED STATES MAGISTRATE JUDGE

Dated: January 5, 2006

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**PROOF OF SERVICE**

The undersigned certifies that the foregoing order was served upon counsel of record via the Court's ECF System and/or U. S. Mail on January 5, 2006.

s/Jennifer Hernandez  
Case Manager to  
Magistrate Judge Virginia M. Morgan